would necessarily involve a violation of the defendant's constitutional right of due process.

CONSTITUTIONAL LAW — PERSONAL RIGHTS — STATUTE RESTRICTING EMPLOYMENT OF ALIENS — INJUNCTION AGAINST CRIMINAL PROSECUTIONS. — An Arizona statute forbade an employer of over five men to hire more than a certain percentage of aliens. The plaintiff, an alien employee, without a fixed term of service, was discharged solely because of this provision. He now brings a bill for reinstatement and to restrain action under the statute. *Held*, that the statute is unconstitutional. *Truax* v. *Raich*, Sup. Ct. Off., No. 361.

For a discussion of the similar decision of this case in the Circuit Court of Appeals, and the general problem of liberty of contract under the Constitution, see 28 HARV. L. REV. 496. As to the further question of the jurisdiction of the equity court, there is no doubt that equity may restrain criminal prosecutions in order to safeguard property rights. *Dobbins* v. *Los Angeles*, 195 U. S. 223. See *Davis & Farnum Mfg. Co.* v. *Los Angeles*, 189 U. S. 207, 218. It is equally well settled that the right of an employee not to have his means of livelihood disturbed is a property right, even where his employment is for no fixed term but at the will of his employer. *Berry* v. *Donovan*, 188 Mass. 353, 74 N. E. 603; *Perkins* v. *Pendleton*, 90 Me. 166, 38 Atl. 96.

CONSTITUTIONAL LAW — POWERS OF THE JUDICIARY — ADMIRALTY JURISDICTION — VALIDITY OF TREATIES. — A libel *in rem* was brought in the federal court by an American citizen against a Dutch ship to recover wages earned as a seaman. The owners of the vessel intervene and claim that the court has no jurisdiction, on the ground that a treaty between the United States and the Netherlands gives exclusive jurisdiction over such cases to the consul of the Netherlands. *Held*, that the court has no jurisdiction. *The Albergen*, 223 Fed. 443 (Dist. Ct., Georgia).

By Article VI of the Constitution, treaties regularly entered into by the United States are the supreme law of the land. It is well settled, however, that a treaty has only the dignity of a statute and may be repealed by a later act of Congress. *Taylor* v. *Morton*, Fed. Cas., No. 13,799; *The Cherokee Tobacco*, 11 Wall. (U. S.) 616; *Thomas* v. *Gay*, 169 U. S. 264. And whatever may be the international effects of a treaty which conflict with the provisions of the Constitution, it is generally agreed that it will be disregarded by the courts. *The Neck*, 138 Fed. 144. See *The Cherokee Tobacco*, *supra*, 621; *Doe* v. *Braden*, 16 How. (U. S.) 635, 657. See 1 WILLOUGHBY, CONSTITUTION, 495. Now Article III, Section 2, of the Constitution gives the Federal courts jurisdiction over "all cases of admiralty and maritime jurisdiction" and it seems clear that this provision precludes the state courts from exercising such jurisdiction. See *Martin* v. *Hunter's Lessees*, 1 Wheat. (U. S.) 304, 337; *The Moses Taylor*, 4 Wall. (U. S.) 411, 428; *Claflin* v. *Housman*, 93 U. S. 136. See THE FEDERALIST, No. 80; 2 STORY, CONSTITUTION, § 1754; 2 WILLOUGHBY, CONSTITUTION, 1114. But see *The Hine* v. *Trevor*, 4 Wall. (U. S.) 555, 572. Where the libellant was not an American citizen a treaty giving exclusive jurisdiction to foreign consuls over certain admiralty cases has been upheld. *The Bound Brook*, 146 Fed. 160; *The Koenigin Luise*, 184 Fed. 170. This result offers no difficulties, for the courts of the United States, while they may take jurisdiction over admiralty controversies between foreigners, and ought to take it where justice requires it and international comity permits it, are not obliged to exercise such jurisdiction. *The Bee*, Fed. Cas., No. 1,219; *One Hundred and Ninety-Four Shawls*, Fed. Cas., No. 10,521; *The Ester*, 190 Fed. 216; *The Bound Brook*, *supra*. But it has been held that a treaty cannot operate to deprive an American citizen of his right to a trial in the federal courts when he is involved in an admiralty controversy. *The Neck*, *supra*. See *The Falls of Keltie*, 114 Fed. 357, 359; *The Ester*, 190 Fed. 216, 225; *The Troop*, 117

Fed. 557, 559. Nevertheless the result in the principal case seems correct, for it appears that the constitutional provision in question was not intended to limit the treaty-making power, but to mark the division between federal and state jurisdiction. See *The Koenigin Luise*, *supra*. Again, similar treaties were concluded in 1787 and in 1788 and were understood by the framers of the Constitution as compatible therewith. See 2 MOORE, DIGEST OF INTERNATIONAL LAW, 300.

CONSTITUTIONAL LAW — REVENUE BILLS — PROHIBITING TAX ATTACHED BY HOUSE TO SENATE BILL. — A federal statute known as the "Cotton Futures Act" imposed a practically prohibitory tax on contracts for the sale of cotton for future delivery not in certain prescribed statutory forms. 38 U. S. STAT. AT L. 693. The bill originated in the Senate in the form of an exclusion of such transactions from the mails, but the House, retaining only the enacting clause, substituted the bill in its present form. The plaintiff sues to recover the tax paid under this statute. *Held*, that the statute is unconstitutional, being a revenue bill originating in the Senate. *Hubbard* v. *Lowe*, 54 N. Y. L. J. 193 (Dist. Ct., N. Y.).

The Constitution requires that all revenue bills originate in the House. U. S. CONST., Art. 1, sec. 7, cl. 1. The courts have tended to construe as revenue bills under this clause only bills primarily for raising revenue and not such bills as might raise revenue incidentally. *Millard* v. *Roberts*, 202 U. S. 429; *cf. United States* v. *Hill*, 123 U. S. 681; *United States* v. *Norton*, 91 U. S. 566. But nevertheless a bill intended as a prohibitory tax, because in form a bill for revenue is considered an exercise of the taxing power. *McCray* v. *United States*, 195 U. S. 27, 59. The decision that the statute in the present case is one for revenue seems to follow necessarily from this. The wide scope of amendment allowed the Senate on revenue bills illustrates further the formality with which the Constitution is construed in this regard. *Flint* v. *Stone Tracy Co.*, 220 U. S. 107, 143. The same spirit of rather formal construction supports the finding that this bill originated in the Senate as certified, although its taxation features originated in the House. Although not expressly based on it, this decision is really compelled by the well-settled rule of the federal courts that the records deposited with the Secretary of State may not be controverted by the Journals of Congress. *Field* v. *Clark*, 143 U. S. 649, 671; *Harwood* v. *Wentworth*, 162 U. S. 547, 562. The court does not discuss the constitutionality of this statute as an exercise of the taxing power. But see *McCray* v. *United States*, *supra*; U. S. DEPT. OF AGRICULTURE, OFFICE OF MARKETS AND RURAL ORGANIZATION, 1915 SERVICE AND REGULATORY ANNOUNCEMENTS NO. 5, 51.

CONTRACTS — REWARDS — PERFORMANCE WITHOUT KNOWLEDGE OF THE OFFER — MEANING OF "ARREST AND CONVICTION." — The legislature of a state passed a statute providing "that the Governor is hereby authorized to offer a reward for the arrest and conviction of the persons guilty of the murder of X." A reward was offered in pursuance of the statute. A posse, without knowledge of the offer, killed the Indians guilty of the crime. *Held*, that the members of the posse are entitled to the reward. *Smith* v. *State*, 151 Pac. 512 (Nev.).

An offer of a reward is an offer to a unilateral contract, and can be accepted only by performing the act designated. *Biggers* v. *Owen*, 79 Ga. 658. Since every contract, unilateral as well as bilateral, requires mutual assent, the act must be performed with an accepting mind, in order to claim the reward. The first requisite of this accepting mind is knowledge of the offer. *Howland* v. *Lounds*, 51 N. Y. 604; *Williams* v. *West Chicago R. Co.*, 191 Ill. 610, 61 N. E. 456. *Contra*, *Dawkins* v. *Sappington*, 26 Ind. 199; *Auditor* v. *Ballard*, 9 Bush